

BILL PURCELL  
MAYOR



## METROPOLITAN GOVERNMENT OF NASHVILLE AND DAVIDSON COUNTY

### DEPARTMENT OF CODES ADMINISTRATION

METRO HOWARD BUILDING  
700 SECOND AVENUE, SOUTH  
NASHVILLE, TENNESSEE 37210  
TELEPHONE (615) 862-6500  
FACSIMILE (615) 862-6514  
[www.nashville.gov/codes](http://www.nashville.gov/codes)

August 19, 2004

Members of the Board of Zoning Appeals  
700 2nd Avenue South  
Nashville, TN 37201

RE: Appeal Case #2004-145  
One Vantage Way Map: 82-1 Parcel: 2

Members of the Board:

This case is before you on an Item A appeal under Section 17.40.180 (A), whereby the applicant is alleging that my determination of "height provisions" for signs outlined in Section 17.32.160 Item H is incorrect. The appellant argues that signs, which orient toward streets where access to the property is located, should also apply to controlled access highways. Billboards oriented to controlled access highways and within 300' of such highways are restricted to 30' above the elevation of the nearest travel lane of such highway in accordance with Section 17.32.150 Item 6.

The appellant argues that the provisions of Section 17.32.160 Item H should apply allowing the billboard to be constructed with a height of 50' above the controlled access highway rather than the street that provides access.

We have consistently ruled and applied Section 17.32.150 Item 6 allowing billboards to be 30' above the nearest travel lane on a controlled access highway for many years predating the current zoning code. The provisions of 17.32.160 Item H was an amendment to the sign code. It was directed towards accessory business signs allowing them to orient their signs at an elevation above access points equal to that allowed by the zone district when there was elevations changes.

Therefore, I denied a permit to the applicant to place a sign 50' above the travel way of a controlled access highway.

Sincerely,

Lon F. West  
Metropolitan Zoning Administrator

LFW:ljb